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Attorneys for Defendant MEMBER SOURCE MEDIA, LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ASIS INTERNET SERVICES, a California
corporation,

Plaintiff,

vs.

MEMBER SOURCE MEDIA, LLC, et al.,

Defendants.

CASE NO. CV-08-1321-EMC

**DEFENDANT MEMBER SOURCE
MEDIA, LLC'S NOTICE OF MOTION
AND MOTION TO STAY CASE**

Date of Hearing: August 27, 2008
Time of Hearing: 10:30 a.m.
Location: Courtroom C

1 TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT on August 27, 2008 at 10:30 a.m. or as soon
3 thereafter as the matter may be heard in the above-titled Court, located in Courtroom C,
4 15th Floor of the United States District Court for the Northern District of California, located
5 at 450 Golden Gate Avenue, San Francisco, CA 94102, Defendant Member Source
6 Media, LLC ("Member Source"), will move to stay this action pending the resolution of the
7 appeal in *ASIS Internet Services v. Azoogole.com, Inc.* No. 08-15979 currently proceeding
8 before the Ninth Circuit Court of Appeals.

9 This motion is made pursuant to the Court's inherent power to stay proceedings in
10 order to control the disposition of the cases on its docket with economy of time and effort
11 for itself, for counsel, and for litigants. A stay should be granted because a) staying the
12 case will promote judicial economy, b) Member Source will be faced with considerable
13 expense if the case is not stayed, and c) Plaintiff ASIS Internet Services will not be
14 prejudiced by a stay.

15 This motion is based on this notice, the memorandum of points and authorities in
16 support of this motion, the declarations of Chris Sommer and Henry M. Burgoyne, III in
17 support of this motion, and any additional evidence and argument that the Court may
18 receive at or before the hearing on this motion.

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20 DATED: August 12, 2008

KRONENBERGER BURGOYNE, LLP

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22 By: /s/ Henry M. Burgoyne, III

23 Henry M. Burgoyne, III
24 Attorneys for Defendant,
25 MEMBER SOURCE MEDIA, LLC
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